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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	09/30/1999	VINCENT P. FOX	EN999063	5935

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EXAMINER

BORISSOV, IGOR N

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 04/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claims 1-4, 5, 6, 7, 8 and 9** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claim 1, 7 and 8**, it is not clear what is “entry means” for: entering or storing invoices.

As per **claims 3-4**, they are rejected as being dependent on claim 1.

As per **claim 5**, the term “or” in line 7 makes the claim indefinite.

As per **claims 6 and 9**, it is not clear what does the term “entering and storing” mean: entering or storing.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1, 6 and 7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama (U. S. 4,851,999). in view of publication “Three Way Match Requirement for

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All Procurement Component Payment” by Minnesota Departments of Finance and Administration.

As per **claims 1, 6 and 7**,

Moriyama discloses general-purpose management system comprising:

- entry means for entering and storing invoices (personal computer as an input unit for inputting basic data required) (column 3, lines 30-34);
- a database tool having goods received receipts and purchase orders (a hard disk storing a database including data files, such as financial and inventory files (column 3, lines 42-51);
- matching tool means coupled to said entry means and said database tool for performing a logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47);
- transfer tool for transferring results of the logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47).

Moriyama does not specifically teach to performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication “Three Way Match Requirement for All Procurement Component Payment” by Minnesota Departments of Finance and Administration, which appears to be published on June 29, 1995 (hereafter referred as “Three Way Match Requirement”),

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teaches to the three way match process which is required to ensure that the invoice, the receipt of goods and the purchase order agree and are processed electronically (page 1, highlighted).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

**Claims 2 and 3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and "Three Way Match Requirement " in view of Call (U. S. 5,913,210).

As per **claim 2 and 3**,

Moriyama and "Three Way Match Requirement " teach all the limitations of **claim 2**, except that said entry means comprises means for electronic entry, such as electronic entry via EDI 850.

Call teaches to a method and apparatus for disseminating product information via Internet comprising a mechanism for exchanging business documents in standard format between computers, such as Electronic Data Interchange (EDI). For example, EDI 850 purchase order transaction can be implemented (column 12, lines 1-16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and "Three Way Match Requirement " by

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including means for electronic entry because it would decrease processing time per order and, thereby, decrease cost to operate the system.

**Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and “Three Way Match Requirement “ in view of Remington et al. (U. S. 6,070,150).

As per **claim 4**,

Moriyama and “Three Way Match Requirement “ teach all the limitations of **claim 4**, except that said database tool is SAP.

Remington et al. teach electronic bill presentment and payment system employing SAP as bill analysis and business accounting software (column 13, lines 60-67; column 14, line 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and “Three Way Match Requirement “ by adding SAP as database tool because it would decrease processing time per order as well as increase the adaptability and reliability of said system.

**Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama in view of publication “Three Way Match Requirement”.

As per **claim 5**,

Moriyama teach all the limitation of **claim 5**, except performing a logical three-way match between each invoices, goods received receipts and purchase orders.

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The publication "Three Way Match Requirement" teaches to the three way match process which is required to ensure that the invoice, the receipt of goods and the purchase order agree and are processed electronically (page 1, highlighted).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability because it would enhance the capability of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

**Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama in view of publication "Three Way Match Requirement".

As per **claim 8**,

Moriyama discloses general-purpose management system comprising:

- a computer readable medium (a hard disk) (column 3, lines 40-47);
- first program instruction means for entering and storing invoices (personal computer as an input unit and commands for outputting the desired ledgers) (column 3, lines 30-36);
- second program instruction means for providing a database tool having goods received receipts and purchase orders (a hard disk storing management programs and a database including data files, such as financial and inventory files) (column 3, lines 30-51);

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- third program instruction means for performing a logical three-way match and fourth program instruction means for transferring results of the logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47);

- fourth program instruction means for transferring results of the logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47). Moriama does not specifically teach to performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication “Three Way Match Requirement” teaches to the three way match process which is required to ensure that the invoice, the receipt of goods and the purchase order agree and are processed electronically (page 1, highlighted).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriama by adding the three way match process capability because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

**Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriama in view of publication “Three Way Match Requirement”.

As per **claim 9**,



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Moriyama discloses general-purpose management system which appears to comprise the following method steps:

- a step to enter and store invoices (personal computer as an input unit for inputting basic data required) (column 3, lines 30-34);
- a step to provide a database having goods received receipts and purchase orders (a hard disk storing a database including data files, such as financial and inventory files (column 3, lines 42-51);
- a step to perform a logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47);
- a step to transfer results of the logical three-way match (the hard disk storing a general-purpose management program and master files, such as commodity master and outside order receiver master) (column 3, lines 40-47).

Moriyama does not specifically teach to performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication "Three Way Match Requirement" teaches to the three way match process which is required to ensure that the invoice, the receipt of goods and the purchase order agree and are processed electronically (page 1, highlighted).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process

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capability because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wiecha	5,870,717
Wong	6,115,690
Japanese Abstract	Jp11222305



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